GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Articles of Charges - Issued.

LABOUR, FACTORIES, BOILERS AND IMS (IMS&VIG) DEPARTMENT

G.O.Rt.No.178 Dated:11.05.2022

Read the Following:

1. From the DG, (V&E) & E.O. Prl. Secy. to Govt. VR.No.1,(C.No. 2982/ V&E/ Sec.II/D2/2019-1&2&836/V&E/Sec.II/D2/2019-1) Dt.03.01.2020.
2. From the Director of Insurance Medical Services, A.P., Vijayawada Lr.Rc.No.1625923/SM/DIMS/2022, dated:15.03.2022

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ORDER

It is proposed to hold an inquiry against Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules,1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Statement of Articles of Charges(Annexure-I). A statement of imputations of misconduct or misbehavior on which action is proposed to be taken against him is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the Articles of charges are proposed to be sustained are also enclosed (Annexure- III&IV).

3. Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada is directed to submit his written statement of defense within10 days from the date of receipt of this Government Order a written statement of his defence and also to state whether he desires to be heard in person.

4. Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada is further informed that an inquiry will be held only in respect of those articles of charges are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Dr.P.R.S.Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada is further informed that if he does not submit his written statement of defense on or before the date specified in Para-3 above or does not appear in person before the inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Attention of Dr.P.R.S.Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to furtherance of his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another persons in respect of any matter dealt with these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada is specifically informed, that this order does not preclude the disciplinary authority to frame fresh charges, if any other irregularities are noticed during the course of disciplinary action.

(P.T.O)

8. The receipt of this Government Order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada through the Director, Insurance Medical Services, Andhra Pradesh, Vijayawada.
Copy to:
The Director, Insurance Medical Services, Andhra Pradesh, Vijayawada with a request to serve the Articles of charge on the individual and furnish the dated ACK. of served copy for record.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

Statement of Article of Charges framed against Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada.

That the said Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam while working as Medical Superintendent & CSS at ESI Hospital, Vijayawada from 2014 to 2019, had committed the grave misconduct and irregularities as mentioned in the article of charges.

Article of Charge -1

That Dr. P.R.S. Johnson while working as Medical Superintendent, ESI Hospital, Vijayawada purchased life saving drugs and Non emergency drugs from local distributors beyond the budget provision without any intimation and ratification from the Director, Insurance Medical Services.

By his above mentioned acts, he has exhibited lack of integrity, irresponsible towards his legitimate duties, maintaining integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) Rules,1964.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

Statement of imputations of misconduct and irregularities in support of Article of Charges framed against Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada.

The Vigilance & Enforcement officials have enquired regarding the misappropriation in the Directorate of Insurance Medical Services, Andhra Pradesh, Vijayawada in procurement of Drugs, Medical Equipment, Biometric Machines, Furniture, engaging the services of call center and ECG Test through M/s. Tale Health Services and establishment of Sewage Treatment plants at 03 Hospitals and one Diagnostic Center through M/s. Jalam Environmental Pvt Ltd., during the tenure of previous three I/c. Directors of Insurance Medical Services i.e., Dr. B. Ravi Kumar (01-11-2014 to 05-07-2016), Dr. C.K. Ramesh Kumar (06-07-2016 to 01-11-2017) and Dr. G. Vijaya Kumar (02-11-2017 to 07-05-2019) and submitted report to the Government. The following are the lapses, irregularities noticed during the enquiry.

1. The Department of Labour, Emplcyment, Training & Factories (IMS) formulated the comprehensive policy guidelines for purchase of Drugs & Medicines and Medical equipment in Insurance Medical Services Department vide G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept,.

   The Govt. authorised Medical Superintendents of ESI Hospitals and Diagnostic Centers for procurement of Life Saving Drugs in emergency with a financial power not exceeding Rs.10,000/-and authorised I/c. Medical Officer of Dispensaries with financial power of not exceeding Rs.1,000/-.

   As per Circular Rc. No. 13/CDS/2014, Dt.31.05.2016 of the Director, IMS, the Medical Superintendents of ESI Hospitals are authorised to procure Life Saving medicines locally within the limits. For ESI Hospital Superintendents not exceeding Rs 10,000/- at a time up to Rs. 1,50,000/- per quarter (Rs.6.00 Lakhs per annum). The Medical Superintendents purchased the medicines beyond the above ceiling viz., required for chronic kidney diseases like Cap. Mycofinolate, Tab. Carnitor, Tab. Ditor, Tab. Nephrosave, Tab. Creon and drugs required for cancer disease like Tab. Imatinib, Tab. Minoxidil, Tab. Temazolamide, Tab. Everolimus, Tab. Nodosis etc., He purchased non emergency drugs and surgical items, though they are not authorised to purchase. He failed to forward the emergency indents after exceeding the limit of purchase for life saving drugs.

   The statement showing the details of purchase of drugs by Medical Superintendent, ESI Hospital, Vijayawada beyond his ceiling limits by violating the directions issued by the Director, Insurance Medical Services as shown below:-

Year	200/211 M&S		210/212 D&M	
	Budget allotted	Purchased	Budget allotted	Purchased
2014-15	7,50,000	7,55,155	6,25,000	7,35,076
2015-16	7,50,000	24,55,101	11,00,000	24,93,952
2016-17	--	31,38,436	12,00,000	28,02,910
2017-18	--	38,97,779	6,00,000	16,67,422
2018-19	4,00,000	31,35,312	6,00,000	9,30,435
TOTAL	19,00,000	1,33,81,783	41,25,000	86,29,795

From this, it is evident that he has exhibited lack of integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.

Hence, the charges.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - III

List of documents on the basis of which the Article of Charges framed against Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada.

1. G.O.Ms.No.51, Dt.09.04.2012 of LET&F Dept.
2. Circular No.13/CDS/2014, Dt.31.05.2016 of the Director, Insurance Medical Services.
3. Purchase procedure guidelines of ESIC vide LR.NO.U-16/52/2001/MED-III (AP), dt.22.11.2016.
4. Vigilance Report No. 01 (C.No. 2982/V&E/Sec-II/D2/2019-1,2& 836/DG/V&E/Sec-II/D2/2019) Dt.03.01.2020 of the Director General (V&E) & E.O. Prl. Secretary to Government, General Administration (Vigilance & Enforcement) Department.

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

K. Vijaya Kumari
SECTION OFFICER

ANNEXURE - IV

List of witness by whom the Article of Charges framed against Dr. P.R.S. Johnson, CSS, ESI Hospital, Visakhapatnam the then Medical Superintendent, ESI Hospital, Vijayawada.

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G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER